

Senate committee votes for easing wine, beer sales quantity restrictions

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[post_thumbnail] Sen. Patti Anne Lodge listens to testimony in the Senate State Affairs Committee.

The Idaho Senate may be preparing to loosen up restrictions on beer and wine sales in the state. With beer it appears to be happening quickly. With wine, it has taken a bit more time.

“This is about consumer tastes and preferences, and about business owners,” said Sen. Jim Patrick, R-Twin Falls. Patrick spoke before the Senate State Affairs Committee on Wednesday, proposing legislation that would loosen restrictions on beer sales.

Currently, beer that is sold by the keg in Idaho has to be sold in 7 ½ gallon quantities. Patrick proposed legislation that would allow beer to be sold in smaller kegs of 5-gallon quantities. “The bill addresses microbreweries and the fact they produce smaller volumes,” Patrick told IdahoReporter.com after the committee hearing. “To be competitive, microbreweries need to be able to sell their products in smaller containers.”

After Patrick's brief presentation, Sen. Elliot Werk, D-Boise, quickly motioned that the proposal be moved forward and assigned a bill number. The committee unanimously approved.

While this proposed de-regulation of beer sales met with the expedient approval of the committee, plans for loosening restrictions on wine sales have moved much more slowly.

"It's a pleasure to be back with you, and I believe I've got answers to your questions," said Roger Batt, a representative of the Idaho Grape Growers and Wine Producers. Last week, Batt spoke to the committee about Senate Bill 1025, legislation that would allow wine to be sold in Idaho in up to quantities of 15 gallons.

Current Idaho law allows wine to be sold in a maximum of 1-gallon quantities. For each proposed transaction involving quantities larger than 1 gallon, written permission from the Idaho State Police must be sought.

"We previously chose to hold this legislation pending your answers to some of our questions," Sen. Patti Anne Lodge, R-Huston, said to Batt. In its prior meeting, the committee had asked Batt about how other states regulate the sale of wine.

"We started our research by looking at federal law," Batt told the committee. "Federal law leaves it to the states to regulate the quantity of wine sales, so from there we examined the rules of Idaho's six neighboring states."

According to Batt, the state governments of Oregon, Montana and Wyoming place no restrictions on the quantities of wine sales. While Washington limits wine sales to 18-liter quantities (slightly less than 5 gallons), Utah requires wine to be sold in its government-run liquor stores. Nevada imposes no statewide restrictions, but allows local cities and counties to do so.

"Among our six border states, only two of them have any statewide restrictions," Batt told the committee.

"Among our state's small wineries, how many of them would you say are equipped to sell these 15-gallon keg things, or whatever you call them?" Lodge asked.

“I know several wineries who want to sell above the 1-gallon quantity limit,” Batt replied. “Whether they want to sell 15-gallon kegs, I’m not sure. In one case I’m aware of, a winery wants to sell 5-gallon containers, yet they have to get permission from state police for each transaction, and that is very cumbersome.”

Batt added, “we don’t envision individuals loading up with 15 gallons of wine at the grocery store,” explaining that it is primarily bar and restaurant owners who want to buy large quantities of wine. “If I owned a restaurant and wanted to buy a big keg of wine, I could buy it out of state, but I couldn’t buy it from an Idaho winemaker,” Batt stated.

After Lodge’s questioning and Batt’s responses, the committee voted unanimously to send the bill to the Senate floor.